IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,	
v.) 2:04cr312
DAVID LAPSOM) Electronic Filing

ORDER OF COURT

AND NOW, this _____ day of September, 2007, in accordance with the findings and rulings set forth on the record at the supervised release revocation hearing held on July 11, 2007, including the acknowledgment of the defendant that he violated conditions of supervision, the Court finds that the defendant, David Lapsom, has violated conditions of supervision as charged in the Petition on Supervised Release (Document No. 92). Specifically, the Court finds that the defendant violated conditions of supervision as set forth in the Judgment Order dated December 2, 2005, as follows: (1) requiring the defendant to refrain from the excessive use of alcohol; (2) requiring the defendant participate in a program of testing and, if necessary, treatment for substance abuse as directed by the probation officer; (3) requiring the defendant to report to the probation officer as directed by the court or the probation officer; (4) requiring the defendant to pay a special assessment of \$100; (5) requiring the defendant to work regularly at a lawful occupation; and (6) requiring the defendant to notify the probation officer within 72 hours of any change in residence or employment. This violation produces a Grade B violation under U.S.S.G. § 7B1.1, which, in conjunction with a criminal history category of III, results in a guideline sentencing range of 8 to 14 months under U.S.S.G. § 7B1.4.

IT IS ORDERED that the term of supervised release imposed in the Judgment Order dated December 2, 2005, is hereby REVOKED. The defendant is committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of 4 months, said term of

imprisonment to be followed by a term of supervised release of 12 months with the same conditions as set forth in Judgment Order of December 2, 2005 and a further condition that the defendant serve 45 days as an inpatient at the Renewal Center. The Court strongly recommends that the defendant NOT be designated to FCI McKean in consideration of defendant's safety.

David Stewart Cercone United States District Judge

cc: James H. Love, AUSA

Thomas J. Farrell, Esquire Reich Alexander Reisinger & Farrell 1000 Koppers Building Pittsburgh, PA 15219

Shannon Smith Meyers, United States Probation Officer

United States Marshal's Office

Pretrial Services

Designation and Sentence Computation Center Federal Bureau of Prisons 346 Marine Forces Drive Grand Prairie, TX 75051

U. S. Sentencing Commission ATTN: Document Control-Monitoring One Columbus Circle, N.E. Washington, DC 20002-8002